



ATTORNEY DOCKET NO.: 56100-5020-01

PATENT

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TECH CENTER 1632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents

BOX CPA

Washington, D.C. 20231

PRIOR APPLICATION: Examiner: Anne Marie Baker
Group Art Unit: 1632CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST UNDER 37 C.F.R. § 1.53(d)

This is a request for filing a

[X] Continuation [] Divisional application under the Continued Prosecution Application procedure of 37 C.F.R. § 1.53(d) of prior application no. 08/866,279, filed May 30, 1997 entitled *Use of FLP Recombinase in Mice*, by Susan M. DYMECKI *et al.*

1. Please change the Attorney Docket No. to 56100-5020-01.
2. [X] Please enter the amendment previously filed on January 18, 2002 under 37 C.F.R. § 1.116.
3. [X] A preliminary amendment is enclosed.
4. [X] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 above.

CLAIMS FOR FEE CALCULATION				
	Claims Remaining After Amendment	Highest No. Previously Paid	at Rate of	Basic Fee Utility \$ 740.00 Design \$ 330.00
Total Claims (37 C.F.R. § 1.16(c))	65-51 = 14	51	\$ 18.00 each =	+252.00
Independent Claims (37 C.F.R. § 1.16(b))	6- 4 = 2	4	\$ 84.00 each =	+168.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$280.00	+
SUB-TOTAL =				\$1,160.00
Reduction by ½ for filing by a small entity				580.00
TOTAL FILING FEE =				\$580.00

5. [X] Small entity status is claimed and

[X] was filed in the prior nonprovisional application and is still proper and desired.

03/20/2002 RMDNDAF1 00000089 500310 08866279

01 FC:231	370.00 CH
02 FC:203	126.00 CH
03 FC:202	84.00 CH

6. Extension of Time

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension fee due: \$0.00

- ☐ The Commissioner is authorized to charge the fee for a ____ month extension of time in the amount of \$ ____ to Deposit Account No. 50-0310.

7. Fee Payment

- ☐ Not Enclosed. NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

- ☒ Payment Authorization:

The Commissioner is hereby authorization to charge **\$580.00** to deposit account no. 50-0310 for:

basic filing fee	\$370.00
additional claims	\$126.00

8. ☐ Inventorship
[] This application is filed by fewer than all the inventors named in the prior application under 37 C.F.R. § 1.53(d)(4).

[] DELETE the following inventors named in the prior application: ____

[] The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

9. ☒ Please address all correspondence to Morgan, Lewis & Bockius LLP at

1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Customer Number: 009629

10. ☐ Recognize as associate attorney _____
(name, address, and registration no.)


11. ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

11. Additional papers enclosed:

- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Bonnie Weiss McLeod
Reg. No. 43,255

Dated: March 18, 2002
MORGAN, LEWIS & BOCKIUS LLP
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202-739-3000
202-739-3001